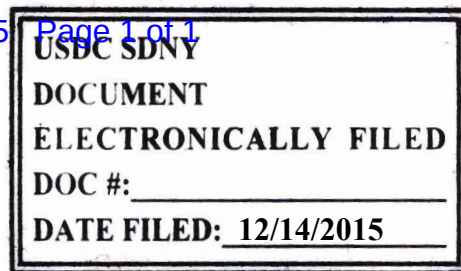


UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
 UNITED STATES OF AMERICA EX REL. AKIVA  
 TESSLER, et al.,

Plaintiffs,

-v-

THE CITY OF NEW YORK,

Defendant.  
 -----X

14-CV-6455 (JMF)

ORDER

JESSE M. FURMAN, United States District Judge:

On **December 11, 2015**, Defendant filed a motion to dismiss the complaint under Rule 12(b) of the Federal Rules of Civil Procedure. Under Rule 15(a)(1)(B), a plaintiff has twenty-one (21) days after the service of a motion under Rule 12(b) to amend the complaint once as a matter of course.

Accordingly, it is hereby ORDERED that Plaintiffs shall file any amended complaint by **December 28, 2015**. Plaintiffs will not be given any further opportunity to amend the complaint to address issues raised by the motion to dismiss.

If Plaintiffs do amend, by three (3) weeks after the amended complaint is filed, Defendant shall: (1) file an answer; (2) file a new motion to dismiss; or (3) submit a letter to the Court, copying Plaintiffs, stating that it relies on the previously filed motion to dismiss. If Defendant files an answer or a new motion to dismiss, the Court will deny the previously filed motion to dismiss as moot.

It is further ORDERED that if no amended complaint is filed, Plaintiffs shall serve any opposition to the motion to dismiss by **December 28, 2015**. Defendant's reply, if any, shall be served by **January 4, 2016**. At the time any reply is served, the moving party shall supply the Court with one courtesy hard copy of all motion papers by mailing or delivering them to the United States Courthouse, 40 Centre Street, New York, New York.

In light of the holidays, the parties may apply for reasonable extensions of the foregoing deadlines if needed. In that event, counsel should confer and jointly propose modified dates.

Finally, it is further ORDERED that the initial pretrial conference scheduled for December 21, 2015, is adjourned *sine die*.

SO ORDERED.

Dated: December 14, 2015  
 New York, New York

  
 JESSE M. FURMAN  
 United States District Judge